

# Subpart 12.6 - Streamlined Procedures for Evaluation and Solicitation for Commercial Products and Commercial Services

**Parent topic:** [Part 12 - Acquisition of Commercial Products and Commercial Services](#)

## 12.601 General.

(a) This subpart provides optional procedures for—

(1) Streamlined evaluation of *offers for commercial products or commercial services*; and

(2) Streamlined *solicitation of offers for commercial products or commercial services* for use where appropriate.

(b) These procedures are intended to simplify the process of preparing and issuing *solicitations* and evaluating *offers for commercial products or commercial services* consistent with customary commercial practices.

## 12.602 Streamlined evaluation of offers.

(a) When evaluation factors are used, the *contracting officer* may insert a provision substantially the same as the provision at [52.212-2](#), *Evaluation-Commercial Products and Commercial Services*, in *solicitations for commercial products or commercial services* or comply with the procedures in [13.106](#) if the *acquisition* is being made using *simplified acquisition procedures*. When the provision at [52.212-2](#) is used, paragraph (a) of the provision *shall* be tailored to the specific *acquisition* to describe the evaluation factors and relative importance of those factors. However, when using the *simplified acquisition procedures* in [part 13](#), *contracting officers* are not required to describe the relative importance of evaluation factors.

(b) *Offers shall* be evaluated in accordance with the criteria contained in the *solicitation*. For many *commercial products or commercial services*, the criteria need not be more detailed than technical (capability of the item offered to meet the agency need), price, and *past performance*. Technical capability *may* be evaluated by how well the proposed *products or services* meet the Government requirement instead of predetermined subfactors. *Solicitations for commercial products or commercial services* do not have to contain subfactors for technical capability when the *solicitation* adequately describes the intended use of the *commercial product or commercial service*. A technical evaluation would normally include examination of such things as product or service literature, product samples (if requested), technical features, and *warranty* provisions. *Past performance shall* be evaluated in accordance with the procedures in section [13.106](#) or [subpart 15.3](#), as applicable. The *contracting officer shall* ensure the instructions provided in the provision at [52.212-1](#), *Instructions to Offerors—Commercial Products and Commercial Services*, and the evaluation criteria provided in the provision at [52.212-2](#), *Evaluation—Commercial Products and Commercial Services*, are in agreement.

(c) Select the *offer* that is most advantageous to the Government based on the factors contained

in the *solicitation*. Fully document the rationale for selection of the successful *offeror* including discussion of any trade-offs considered.

## **12.603 Streamlined solicitation for commercial products or commercial services.**

(a) When a written *solicitation* will be issued, the *contracting officer* may use the following procedure to reduce the time required to solicit and award contracts for the *acquisition* of *commercial products* or *commercial services*. This procedure combines the synopsis required by [5.203](#) and the issuance of the *solicitation* into a single document.

(b) When using the combined synopsis/*solicitation* procedure, the [SF1449](#) is not used for issuing the *solicitation*.

(c) To use these procedures, the *contracting officer* shall-

(1) Prepare the synopsis as described at [5.207](#).

(2) In the Description, include the following additional information:

(i) The following statement:

This is a combined synopsis/*solicitation* for *commercial products* or *commercial services* prepared in accordance with the format in [subpart 12.6](#), as supplemented with additional information included in this notice. This announcement constitutes the only *solicitation*; proposals are being requested and a written *solicitation* will not be issued.

(ii) The *solicitation* number and a statement that the *solicitation* is issued as an invitation to bid (IFB), request for quotation (RFQ) or request for proposal (RFP).

(iii) A statement that the *solicitation* document and incorporated provisions and clauses are those in effect through Federal Acquisition Circular \_\_\_\_.

(iv) A notice regarding any set-aside and the associated NAICS code and small business size standard.

(v) A list of *line item number(s)* and items, quantities, and units of measure (including *option(s)*, if applicable).

(vi) Description of requirements for the items to be acquired.

(vii) Date(s) and place(s) of delivery and acceptance and FOB point.

(viii) A statement that the provision at [52.212-1](#), Instructions to Offerors-Commercial Products and Commercial Services, applies to this *acquisition* and a statement regarding any addenda to the provision.

(ix) A statement regarding the applicability of the provision at [52.212-2](#), Evaluation-Commercial Products and Commercial Services, if used, and the specific evaluation criteria to be included in paragraph (a) of that provision. If this provision is not used, describe the evaluation procedures to be used.

(x) A statement advising *offerors* to include a completed copy of the provision at [52.212-3](#), *Offeror Representations and Certifications-Commercial Products and Commercial Services*, with its *offer*.

(xi) A statement that the clause at [52.212-4](#), *Contract Terms and Conditions-Commercial Products and Commercial Services*, applies to this *acquisition* and a statement regarding any addenda to the clause.

(xii) A statement that the clause at [52.212-5](#), *Contract Terms and Conditions Required To Implement Statutes or Executive Orders-Commercial Products and Commercial Services*, applies to this *acquisition* and a statement regarding which, if any, of the additional FAR clauses cited in the clause are applicable to the *acquisition*.

(xiii) A statement regarding any additional contract requirement(s) or terms and conditions (such as contract financing arrangements or *warranty* requirements) determined by the *contracting officer* to be necessary for this *acquisition* and consistent with customary commercial practices.

(xiv) A statement regarding the Defense Priorities and Allocations System (DPAS) and assigned rating, if applicable.

(xv) The date, time and place *offers* are due.

(xvi) The name and telephone number of the individual to contact for information regarding the *solicitation*.

(3) Allow response time for receipt of *offers* as follows:

(i) Because the synopsis and *solicitation* are contained in a single document, it is not necessary to publicize a separate synopsis 15 days before the issuance of the *solicitation*.

(ii) When using the combined synopsis and *solicitation*, *contracting officers must* establish a response time in accordance with [5.203\(b\)](#) (but see [5.203\(h\)](#)).

(4) Publicize amendments to *solicitations* in the same manner as the initial synopsis and *solicitation*.